

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
CITY COUNCIL
January 28, 2013**

The regular meeting of the Holtville City Council was held on Monday, January 28, 2013 at 5:30 p.m. in the Civic Center. Council Members present were Mike Goodsell, Richard Layton, David Bradshaw, Jim Predmore and Ginger Ward. Staff members present were Alex Meyerhoff, Nick Wells, Alex Silva and Glyn Snyder. City Engineer Jack Holt, City Planner Justina Arce and City Attorney Steve Walker were also present.

CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:

Mr. Goodsell called the meeting to order at 5:30 p.m.

CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:

Mr. Goodsell called the meeting to order at 6:12 p.m.

INVOCATION:

The invocation was led by Mr. Goodsell.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by David Bradshaw.

Mr. Goodsell requested a moment of silence for Roberto Pacheco.

CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:

The City Clerk verified that the agenda was duly posted on January 25, 2013.

EXECUTIVE SESSION ANNOUNCEMENTS:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Government Code Section 54956.9(a))

Willowbend LLC vs. City Of Holtville

Imperial Palms Resort vs. City of Holtville

No reportable action taken.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

(Government Code Section 54956.9(c))

Claim of James Brock

No reportable action taken. Direction was given to staff.

PUBLIC EMPLOYMENT

(Government Code Section 54957.6)

City Manager Evaluation

No reportable action taken.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Government Code Section 54956.9)

Property: 1499 State Hwy 98, Management & Training Corporation, Alliance Subsidiary

Agency Negotiators: City Manager and City Attorney

Under Negotiation: Terms of Operations, Management and Maintenance Agreement
No reportable action taken.

Property: APN 045-631-010-000 (SEC Fern Avenue and Fourth Street)
Agency Negotiators: City Manager and City Attorney
Under Negotiation: Terms and Lease of Operation
No reportable action taken. Direction was given to staff.

Property: APN 045-330-034-000 (640 E. 3rd Street, Space 5)
Agency Negotiators: City Manager and City Attorney
Under Negotiation: Price and Terms of Payment
No reportable action taken. Direction was given to staff.

RECOGNITION: Holtville High School FFA Students were recognized. Mr. Layton complimented the advisors, Ms. Cozens and Mr. Larson. He said Ms. Cozens commutes from Warner Springs to the high school daily.

PUBLIC COMMENTS:

Norma Saikhon, Public Administrator of Imperial County explained to Council the services offered by the County. They provide meals in the community, offer free legal service for simple wills and clear titles for blighted areas. They also serve as a representative payee for the elderly and provide probate services. Mr. Meyerhoff stated that he would like to provide a community workshop for the citizens of Holtville.

Mr. Tim Kelley, Chairman of Imperial Valley Economic Development Corporation (IVEDC) came before Council to explain the services they provide. The corporation was organized to implement business attraction strategies that promote and highlight the Valley's investment potential.

Betty Predmore, President of the Soroptimist Club confirmed the club's reservation for the use of the Civic Center during the week of the Carrot Festival.

Mr. Jim Brock addressed Council regarding the sewer rate hook up charges for his business located on Fern Avenue.

CONSENT AGENDA:

- 1. Approval of Minutes Of The Regular Meeting Of December 10, 2012 And Special Meetings of December 19, 2012 And January 7, 2013**
- 2. Current Demands #31348 To #31467**

A motion was made by Mr. Layton and seconded by Mr. Bradshaw to approve Consent Agenda items 1 and 2. The motion carried 5/0.

REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUE:

Reports were moved to the end of the agenda.

UNFINISHED BUSINESS:

12. Discussion/Related Action To Approve A Facility Use Agreement With The Holtville Little League – Alex Meyerhoff, City Manager

This item was moved up on the agenda.

Sara Hilfiker, President of Holtville Little League addressed Council regarding a second field to be constructed at Mack Park. She said another field will allow Holtville to host tournaments and availability to offer fall ball. Lighting and fencing issues were also discussed. Fencing will be limited so that fields can be used by other sports including soccer. The Little League will be given priority for the use of the field during baseball season. An area will also be reserved for a future tot lot. The volunteers were given permission to proceed with the construction of a second field.

A motion was made by Mr. Bradshaw and seconded by Ms. Ward to approve a Facility Use Agreement with the Holtville Little League. All members present were in favor and the motion carried unanimously.

3. Discussion/Related Action To Adopt RESOLUTION 13-06 Approving The Execution And Delivery Of A Lease Agreement With The Brawley Community Foundation Related To A New Detention Facility – Alex Meyerhoff, City Manager

Tim Kelley, President of the Brawley Community Foundation said the foundation is in support of the City entering into a lease agreement related to a new detention facility.

A motion was made by Mr. Layton and seconded by Mr. Predmore to adopt Resolution 13-06 approving the execution and delivery of a lease agreement with the Brawley Community Foundation related to a new detention facility. The motion carried 5/0 in the form of a roll call vote.

4. Discussion/Related Action To Adopt RESOLUTION 13-07 Authorizing And Approving The Execution And Delivery Of An Operations, Management And Maintenance Services Agreement Related To A New Detention Facility – Alex Meyerhoff, City Manager

Michael Harling, representing Municipal Capital Markets Group said a detention facility would create 215 jobs.

A motion was made by Mr. Bradshaw and seconded by Ms. Ward to adopt Resolution 13-07 authorizing and approving the execution and delivery of an Operations, Management and Maintenance Services Agreement related to a new detention facility. This motion was made with a revision to the first paragraph of the Resolution. The paragraph shall read “Whereas, the Management and Training Corporation has notified the City of Holtville, California (the “City”) that it *“is willing to operate a”* detention facility, consisting of approximately 1,024 beds, and facilities related thereto on approximately 64 acres, located at 1499 State Highway 98 in Imperial County, California (the “Project”); and”. The motion carried 5/0 in the form of a roll call vote.

NEW BUSINESS:

5. Discussion/Related Action To Adopt RESOLUTION 13-01 Granting Legal Non-Conforming Status For Front Yard Setback Requirements In Perpetuity For APN’s 045-296-017, 045-296-018 and 045-296-019 Affected By The Grape Avenue Phase II Improvements – Justina Arce, City Planner

A motion was made by Mr. Layton and seconded by Mr. Predmore to adopt Resolution 13-01 as presented granting legal non-conforming status for front yard setback requirements in perpetuity for APN's 045-296-017, 045-296-018 and 045-296-019 affected by the Grape Avenue Phase II Improvements. The motion carried 5/0 in the form of a roll call vote.

6. Discussion/Related Action To Adopt RESOLUTION 13-02 Authorizing The City Clerk To Execute Certificates Of Acceptance For Real Property From APN 045-296-017 (Inocente And Maria Martinez) And APN 045-296-018 (Amalia Gil) For Right Of Way Along Grape Avenue – Justina Arce, City Planner

A motion was made by Mr. Bradshaw and seconded by Ms. Ward to adopt Resolution 13-02 authorizing the City Clerk to execute Certificates of Acceptance for real property from APN 045-296-017 (Inocente and Maria Martinez) and APN 045-296-018 (Amalia Gil) for right of way along Grape Avenue. The motion carried 5/0 in the form of a roll call vote.

7. Discussion/Related Action To Adopt RESOLUTION 13-03 Approving The Appropriation Of The 2012 Volunteer Fire Assistance (VFA) Grant For Fire Equipment – Alex Silva, Fire Chief

A motion was made by Mr. Predmore and seconded by Mr. Layton to adopt Resolution 13-03 approving the appropriation of the 2102 Volunteer Fire Assistance (VFA) Grant for fire equipment. The motion carried 5/0 in the form of a roll call vote.

8. Discussion/Related Action To Adopt RESOLUTION 13-04 Approving The Expansion Of The South San Diego Recycling Market Zone To Include The City Of Holtville – Alex Meyerhoff, City Manager

A motion was made by Mr. Layton and seconded by Mr. Predmore to adopt Resolution 13-04 approving the expansion of the South San Diego Recycling Market Zone to include the City of Holtville. The motion carried 5/0 in the form of a roll call vote.

9. Discussion/Related Action To Adopt RESOLUTION 13-05 To Authorize The Amendment Of Articles 10 and 12 Of The Amended And Restated Joint Powers Agreement (“JPA”) Of The Public Entity Risk Management Authority (“PERMA”) To Appoint A Staff Member Or Board Member As Treasurer And/Or Auditor As An Alternative To Those Functions Being Performed By A Member’s Treasurer And Auditor, As Required By The Current Joint Powers Agreement – Nick Wells, Finance Manager

A motion was made by Mr. Bradshaw and seconded by Ms. Ward to adopt Resolution 13-05 to authorize the amendment of Articles 10 and 12 of the amended and restated Joint Powers Agreement (“JPA”) of the Public Entity Risk Management Authority (“PERMA”) to appoint a staff member or board member as Treasurer and/or Auditor as an alternative to those functions being performed by a member’s Treasurer and Auditor, as required by the current Joint Powers Agreement. The motion carried 5/0 in the form of a roll call vote.

10. Discussion/Related Action To Authorize City Engineer To Advertise Bid Request For Habitat Conservation Fund Improvement Project – Justina Arce, City Planner

A motion was made by Mr. Layton and seconded by Ms. Ward to authorize City Engineer to advertise bid request for Habitat Conservation Fund Improvement Project. All members present were in favor and the motion carried unanimously.

11. Discussion/Related Action Regarding “Unrecognized/Unauthorized” Private Sewer Service

Connections Along Outfall Main – Justina Arce, City Planner

A motion was made by Mr. Bradshaw and seconded by Mr. Predmore giving direction to staff:

- 1) A penalty fee for unauthorized users will not be charged.
- 2) A development impact fee will be charged.
- 3) There will be no retroactive payment imposed for services provided to unauthorized users.
- 4) Private sewer connections for unauthorized users will be charged at cost. The City has agreed to finance these charges as needed.

All members present were in favor and the motion carried unanimously.

INFORMATION ONLY:

13. Information Only Regarding Vulnerability Assessment And Emergency Response Plan; Holtville Wastewater Treatment Plant – Frank Cornejo, Water Works Supervisor

Information only; no action taken.

14. City Manager Report – Alex Meyerhoff

- a. **Finance Manager – Nick Wells**
- b. **Public Works Supervisor – Alex Chavez**
- c. **Water Works Supervisor – Frank Cornejo**
- d. **Fire Chief – Alex Silva**
- e. **Quarterly Planning Report – Justina Arce**
- f. **Quarterly Grant Report – Justina Arce**
- g. **Quarterly Building Permit Report - Justina Arce**

Staff Reports

Written reports were provided by the following: City Manager, Finance Manager, Public Works Supervisor, Water Works Supervisor and Fire Chief. Quarterly Planning, Grant and Building reports were provided by Ms. Arce.

Mr. Meyerhoff reported the City is planning to have a Farmer's Market the third Thursday of each month. He thanked the following people for donating to the Rib Cook Off: The Holt Group, J.R. Filanc Construction, Greg Bentley, Alex Estrada and Aramark. Jim Nelson, Pepe Larios, Turning Point and the Athletic Club provided barbeque pits.

Mr. Silva thanked Mr. Meyerhoff and City Council members for attending the Firefighter's Association Installation Dinner.

Ms. Arce reported plans have been submitted by the Family Dollar Store for plan check. The lot line adjustment will be taken care of this week. She also reported construction costs for the Wastewater Treatment Plant has increased by \$1.7 million. Financing consists of \$4 million in grants and the remainder will be financed by the State Revolving Fund and amortized over a 20 year period at 1.7%

REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUE:

Mr. Bradshaw reported that he had applied for a building permit and the process ran smoothly. He provided the Council with a list of events for the Carrot Festival and invited everyone to attend.

Mr. Predmore said he became a grandparent on Friday. He and Ms. Ward attended the Mayor and New Council Members Conference in Sacramento. They both said the conference was very beneficial.

Ms. Ward also attended the Rib Cook Off and the Firefighter's Association Installation Dinner.

Mrs. Snyder informed Council that there will be a special meeting on Thursday, February 7th at noon to appoint a City Treasurer and three Planning Commissioners. The next League of Cities meeting is scheduled for Thursday, February 28th. The location of the meeting has not been determined.

Mr. Wells attended a Revenue and Taxation conference sponsored by the League of Cities. He was awarded a scholarship and was able to attend this conference at no cost to the City.

Mr. Goodsell attended an ICTC meeting. He also attended the Firefighter's Association Installation Dinner and the Rib Cook Off.

ADJOURNMENT:

There being no further business to come before Council, Mr. Goodsell adjourned the meeting at 8:17 p.m.

Mike Goodsell, Mayor

Glyn Snyder, City Clerk

**THE MINUTES OF THE REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
HOLTVILLE REDEVELOPMENT AGENCY**
January 28, 2013

The regular meeting of the Successor Agency to the Holtville Redevelopment Agency was held on Monday, January 28, 2013 in the Civic Center. Board Members present were Mike Goodsell, Richard Layton, David Bradshaw, Jim Predmore and Ginger Ward. Staff members present were Alex Meyerhoff, Nick Wells, Alex Silva and Glyn Snyder. City Engineer Jack Holt, City Planner Justina Arce and City Attorney Steve Walker were also present.

**SUCCESSOR AGENCY TO THE HOLTVILLE REDEVELOPMENT AGENCY MEETING
CALLED TO ORDER:**

Mr. Goodsell called the Successor Agency to the Holtville Redevelopment Agency meeting to order at 8:17 p.m.

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:

(Government Code Section 54956.9(a))

Holtville Unified School District vs. Holtville Redevelopment Agency

No reportable action taken.

EXECUTIVE SESSION ANNOUNCEMENTS:

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Current Demands #1724 To #1729

A motion was made by Mr. Layton and seconded by Mr. Bradshaw to approve Consent Agenda item #1. The motion carried 5/0.

NEW BUSINESS:

2. Discussion/Related Action To Adopt RESOLUTION 13-01 Approving The Due Diligence Review For Fund And Account Balances Of The Former Holtville Redevelopment Agency Conducted Pursuant To Health And Safety Code Section 34179.5 And Taking Certain Other Actions In Connection Therewith – Nick Wells, Finance Manager

A motion was made by Mr. Bradshaw and seconded by Ms. Ward to adopt Resolution 13-01 approving the Due Diligence Review for Fund and Account Balances of the former Holtville Redevelopment Agency conducted pursuant to Health and Safety Code Section 34179.5 and taking certain other actions in connection therewith. The motion carried 5/0 in the form of a roll call vote.

3. Discussion/Related Action To Adopt RESOLUTION 13-02 Authorizing The Executive Director To Execute A Deed Restriction For APN 045-244-001 And 045-243-004 At The Request Of The California Department Of Parks And Recreation Habitat Conservation Fund – Justina Arce, City Planner

A motion was made by Mr. Layton and seconded by Mr. Predmore to adopt Resolution 13-02 authorizing the Executive Director to execute a deed restriction for APN 045-244-001 and 045-

243-004 at the request of the California Department of Parks and Recreation Habitat Conservation Fund. The motion carried 5/0 in the form of a roll call vote.

ADJOURNMENT:

There being no further business to come before the Board, Chairman Goodsell adjourned the meeting at 8:23 p.m.

Mike Goodsell, Chairman

Glyn Snyder, Secretary